1	TO THE HOUSE OF REPRESENTATIVES:	
2	The Committee on Education to which was referred Senate Bill No. 100	
3	entitled "An act relating to universal school breakfast and the creation of the	
4	Task Force on Universal School Lunch" respectfully reports that it has	
5	considered the same and recommends that the House propose to the Senate that	
6	the bill be amended by striking out all after the enacting clause and inserting in	
7	lieu thereof the following:	
8	* * * Title * * *	
9	Sec. 1. SHORT TITLE	
10	This act may be cited as the "Universal School Meals Act."	
11	* * * Purpose * * *	
12	Sec. 2. PURPOSE	
13	The purpose of this act is to provide universal school breakfast and lunch	
14	for all public school students at no cost to the students or their families with	
15	funding provided to school districts.	
16	* * * Statutory Changes * * *	
17	Sec. 3. 16 V.S.A. chapter 27, subchapter 2 is amended to read:	
18	Subchapter 2. School Food Programs	
19	§ 1261a. DEFINITIONS	
20	As used in this subchapter:	

1	(1) "Food programs" means provision of food to persons under	
2	programs meeting standards for assistance under the National School Lunch	
3	Act, 42 U.S.C. § 1751 et seq., and in the Child Nutrition Act, 42 U.S.C. § 1779	
4	et seq., each as amended.	
5	(2) "School board" means the governing body of a school district	
6	responsible for the administration of a public school.	
7	(3) "Independent school board" means a governing body responsible for	
8	the administration of a nonprofit independent school exempt from United	
9	States <u>U.S.</u> income taxes.	
10	§ 1262a. AWARD OF GRANTS	
11	* * *	
12	(c)(1) On a quarterly basis, from State funds appropriated to the Agency for	
13	this subsection subdivision, the Agency shall award to each supervisory union,	
14	independent school board, and approved education program as described in	
15	subsection (a) of this section a sum equal to the amount that would have been	
16	the student share of the cost of all breakfasts and lunches actually provided in	
17	the district during the previous quarter to students eligible for a reduced-price	
18	breakfast under the federal school breakfast program and students eligible for a	
19	reduced-price lunch under the federal school lunch program.	
20	(2)(A) From State funds appropriated to the Agency for this subdivision	
21	(2), the Agency shall reimburse each school district that made available both	

1	school breakfast and lunch to students at no charge under subdivision		
2	1264(a)(1)(B) of this title for the cost of each meal actually provided in the		
3	district during the previous quarter that qualifies as a paid breakfast and paid		
4	lunch under the federal school breakfast and federal school lunch programs.		
5	Reimbursement from State funds shall be available only to districts that		
6	maximize access to federal funds for the cost of the school breakfast and lunch		
7	program by participating in the Community Eligibility Provision or Provision 2		
8	of these programs, or any other federal provision that in the opinion of the		
9	Agency draws down the most possible federal funding for meals served in that		
10	<mark>program.</mark>		
11	(B) The reimbursement amount shall be a sum equal to the federal		
12	reimbursement rate for a free school breakfast and lunch less the federal		
13	reimbursement rate for a paid school breakfast and lunch, using rates identified		
14	annually by the Agency of Education from payment levels established annually		
15	by the U.S. Department of Agriculture.		
16	* * *		
17	§ 1264. FOOD PROGRAM		
18	(a)(1)(A) Each school board operating a public school shall cause to		
19	operate within the school district each school in the school district a food		
20	program that makes available a school lunch, as provided in the National		
21	School Lunch Act as amended, and a school breakfast, as provided in the		

1	National Child Nutrition Act as amended, to each attending student who	
2	qualifies for those meals under these Acts every school day.	
3	(B) In addition, each school board operating a public school shall	
4	cause to operate within each school in the school district the same school	
5	breakfast and school lunch program made available to students who qualify for	
6	those meals under the National Child Nutrition Act and the National School	
7	Lunch Act, as amended, for each attending student every school day at no	
8	charge.	
9	(C) In operating its school breakfast and lunch program, a school	
10	district shall seek to achieve the highest level of student participation, which	
11	may include any or all of the following:	
12	(i) providing breakfast meals that can be picked up by students;	
13	(ii) making breakfast available to students in classrooms after the	
14	start of the school day; and	
15	(iii) collaborating with the school's wellness community advisory	
16	council, as established under subsection 136(e) of this title, in planning school	
17	meals.	
18	(D) A school district shall count time spent by students consuming	
19	school meals during class as instructional time.	
20	* * *	

## § 1265. EXEMPTION; PUBLIC DISCUSSION

- (a) The school board of a public school district that wishes to be exempt from the provisions of section 1264 of this title may vote at a meeting warned and held for that purpose to exempt itself from the requirement to offer either the school lunch program or the school breakfast program, or both, for a period of one year.
- (b) If a public school is exempt from offering a breakfast or lunch program, its school board shall conduct a discussion annually on whether to continue the exemption. The pending discussion shall be included on the agenda at a regular or special school board meeting publicly noticed in accordance with 1 V.S.A. § 312(c), and citizens shall be provided an opportunity to participate in the discussion. The school board shall send a copy of the notice to the Secretary and to the superintendent of the supervisory union at least ten days prior to the meeting. Following the discussion, the school board shall vote on whether to continue the exemption for one additional year.
- (c) On or before the first day of November prior to the date on which an exemption voted under this section is due to expire, the Secretary shall notify the boards of the affected school district and supervisory union in writing that the exemption will expire.

1	(d) Following a meeting held pursuant to subsection (b) of this section, the	
2	school board shall send a copy of the agenda and minutes to the Secretary and	
3	the superintendent of the supervisory union.	
4	(e) The Secretary may grant a supervisory union or a school district a	
5	waiver from duties required of it under this subchapter upon a demonstration	
6	that the duties would be performed more efficiently and effectively in another	
7	manner. [Repealed.]	
8	* * * Funding Sources * * *	
9	Sec. 4. FUNDING SOURCES FOR UNIVERSAL SCHOOL MEALS	
10	It is the intent of the General Assembly to fund universal school meals	
11	through additional sources of revenue that may be added to the General Fund	
12	or Education Fund. Possible revenue sources that should be considered	
13	include an excise tax on sugar-sweetened beverages, a sales tax on candy, and	
14	a cloud tax.	
15	* * * Session Law * * *	
16	Sec. 5. AGENCY OF EDUCATION; STAFFING	
17	(a) The following five positions are created in the Agency of Education:	
18	(1) two full-time, classified positions to develop and maintain the	
19	universal household income declaration form and provide guidance to school	
20	districts on its use; and	

1	(3) three full-time, classified positions to provide financial and data	
2	analysis for the Agency of Education.	
3	(b) There is appropriated to the Agency of Education from the General	
4	Fund for fiscal year 2023 the amount of \$500,000.00 for salaries, benefits, and	
5	operating expenses for the positions created under subsection (a) of this	
6	section.	
7	Sec. 6. UNIVERSAL INCOME DECLARATION FORM	
8	(a) A universal income declaration form is used by some other states and	
9	school districts in Vermont with universal school meals programs to collect	
10	household size and income information that was previously collected using the	
11	Free and Reduced-Price Meal Application. A universal income declaration	
12	form is used to collect income bracket information from all families, reducing	
13	stigma and resulting in the collection of more accurate pupil eligibility counts	
14	throughout a school district.	
15	(b) On or before October 1, 2022, the Agency of Education shall convene a	
16	working group that includes school staff and hunger and nutrition experts to	
17	develop the universal income declaration form that shall be fully accessible to	
18	all Vermont families both in paper form and electronically. The new form	
19	shall be implemented statewide for the 2023–24 school year.	

1	Sec. 7. APPROPRIATION; SCHOOL MEALS	
2	The sum of \$8,000,000.00 is appropriated from a source other than the	
3	Education Fund for fiscal year 2023 to provide reimbursement for school	
4	meals under 16 V.S.A. § 1262a(c)(2).	
5	Sec. 8. AGENCY OF EDUCATION; CONSULTATION; REPORT	
6	The Agency of Education shall consult with school districts, Hunger Free	
7	Vermont, the Vermont School Boards Association, the Vermont	
8	Superintendents Association, the Vermont Association of School Business	
9	Officials, the Vermont Principals' Association, and the School Nutrition	
10	Association of Vermont on the impact of this act and, on or before	
11	December 15, 2022, shall report to the House and Senate Committees on	
12	Education and on Appropriations, the House Committee on Agriculture and	
13	Forestry, and the Senate Committee on Agriculture on the status of	
14	implementation under this act.	
15	* * * Effective Date * * *	
16	Sec. 9. EFFECTIVE DATE	
17	This act shall take effect on July 1, 2022.	
18	and that after passage the title of the bill be amended to read: "An act	
19	relating to universal school meals"	

1		
2		
3		
4	(Committee vote:)	
5		
6		Representative

(Draft No. 2.1 – S.100)

7

3/29/2022 - BSJ - 9:02 PM

Page 9 of 9

FOR THE COMMITTEE